



EMPLOYMENT TRIBUNALS

Claimant: Miss A V Shilling
Respondent: CH Deeping Ltd
HEARD AT: CAMBRIDGE ET **ON:** 12th May 2017
BEFORE: Employment Judge M Bloom

REPRESENTATION

For the Claimant: In person
For the Respondent: No response presented but in attendance
Mr Tony Cook (Director)

JUDGMENT

1. The Respondents CH Deeping Ltd is ordered to pay to the Claimant, prior to any lawful deductions for tax and or National Insurance Contributions, the total sum of £1,003.94.

REASONS

1. The Claimant was employed at the Old Coach House public house in Market Deeping between 19th September 2015 and 30th May 2016.
2. Until a date in or around March 2016 the legal entity that employed the Claimant was OCH Market Deeping Ltd. On or around 10th March 2016 the name of the employer changed from OCH Market Deeping Ltd to CH Deeping Limited. Mr Tony Cook who manages the premises was the sole director of OCH Market Deeping Ltd and was also the sole director of CH Deeping Ltd. OCH Market Deeping Ltd ceased to trade sometime in July 2016. I am satisfied therefore that at the time Claimant's employment

came to an end on the 30th May 2016 the legal entity that employed her was CH Deeping Ltd.

3. The Claimant, having heard evidence from her, is owed her wages from the last 29.5 hours she worked prior to the date of termination. The agreed hourly rate was £6.50 per hour. That amounts to wages owed not paid in the sum of £191.75.
4. The Claimant is entitled to statutory holiday. Throughout her period of employment she never took any holiday, nor was she paid any accrued holiday entitlement. The appropriate calculation is – 12.07 times by 971.5 hours divided by 100 equals 117.26 hours holiday entitlement times £6.50 per hour equals the gross sum of £762.19.
5. The Claimant claimed over £90 in respect of outstanding expenses incurred in respect of bringing these proceedings. I'm not satisfied that the whole of that sum was properly incurred or actually incurred by her, and having heard evidence from her about her expenses and getting to the hearing, and in respect of pre-hearing stationary expenses I consider the appropriate amount is £50.
6. Those three sums added together amount to the total of £1,003.94 which is payable by the Respondent to the Claimant.
7. The Respondent had not entered a formal response although Mr Cook on their behalf had entered into some communication with the Employment Tribunal. Exercising the provisions of Rule 21(3) Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013 Mr Cook was permitted to make submissions before me and was allowed to ask a limited number of questions of the Claimant prior to determining the outcome of these proceedings.

Employment Judge M Bloom, Cambridge.

Date: 24th May 2017

JUDGMENT SENT TO THE PARTIES ON

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FOR THE SECRETARY TO THE TRIBUNALS